

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

THOMAS E. PEREZ, Secretary of Labor,  
United States Department of Labor;

Plaintiff,

vs.

APEX DELIVERY SOLUTIONS, INC., and  
KEVIN M. FIENHOLD, individually;

Defendants.

**8:16CV471**

**ORDER**

This matter is before the Court on Plaintiff's Motion to Compel Responses to Discovery. ([Filing No. 27.](#)) Defendants have not responded to the motion.

Plaintiff served its first set of interrogatories and document production requests upon Defendant Apex Delivery Solutions, Inc. ("Apex") on June 27, 2017. ([Filing No. 16.](#)) In response to several of the interrogatories, Apex responded by stating that it would supplement or that "investigation continues." ([Filing No. 27-1.](#)) Similarly, in response to the document production requests, Apex indicated that it was assembling documents and that it would supplement several requests. ([Filing No. 27-2.](#)) According to Plaintiff, despite numerous attempts, it still has not been provided complete responses to its discovery requests.

Apex has acknowledged that it has supplemental discovery materials it needs to produce. However, to the Court's knowledge, it has yet to do so. Plaintiff is clearly entitled to complete discovery responses.

Accordingly,

**IT IS ORDERED** that Plaintiff's Motion to Compel Responses to Discovery ([Filing No. 27](#)) is granted. Apex shall provide full and complete responses to Plaintiff's first set of interrogatories and document production requests by March 27, 2018.

Dated this 20<sup>th</sup> day of March, 2018.

BY THE COURT:

s/ Susan M. Bazis  
United States Magistrate Judge